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August 10, 2005

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Amendment After Final Action Under 37 C.F.R.

§ 1.116 and Abstract of the Vinereanu article

Applicant:

Alferness et al.

Serial No.: Filed:

10/809,962 March 26, 2004

Group Art Unit:

3736

Our Ref. No.:

11998.5USC8

Confirmation No.

<u> 7915</u>

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four of 14 page

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RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE **EXAMINING GROUP 3736**

S/N 10/809,962

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

ALFERNESS ET AL.

Examiner:

S. GILBERT

Serial No.:

10/809,962

Group Art Unit:

3736

Filed:

MARCH 26, 2004

Docket No.:

11998.5USC8

Title:

CARDIAC SUPPORT DEVICE WITH DIFFERENTIAL EXPANSION (AS

AMENDED)

CERTIFICATE UNDER 37 CFR 1.6(d):

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Name: Kristine A

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. § 1.116

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

23552 PATPNT TRADEMARK OFFICE

Dear Sir:

In response to the final Office Action mailed July 14, 2005, please amend the aboveidentified application as follows for the purpose of placing this application in condition for allowance:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper. While reserving all rights to file future continuation applications with the canceled claims, claims 29-30 are canceled. Claim 18 is amended to only add a "whereby" clause to clarify the consequences of previously claimed structure.

Remarks begin on page 4 of this paper.